



General Assembly

February Session, 2006

**Substitute Bill No. 5536**

\* \_\_\_\_\_HB05536JUD\_\_\_\_032706\_\_\_\_\_\*

**AN ACT CONCERNING THE RELOCATION OF PARENTS HAVING  
CUSTODY OF MINOR CHILDREN.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective October 1, 2006*) (a) In any proceeding  
2 before the Superior Court arising after the entry of a judgment  
3 awarding custody of a minor child and involving the relocation of  
4 either parent with the child, where such relocation would have a  
5 significant impact on an existing parenting plan, the relocating parent  
6 shall bear the burden of proving, by a preponderance of the evidence,  
7 that (1) the relocation is for a legitimate purpose, (2) the proposed  
8 location is reasonable in light of such purpose, and (3) the relocation is  
9 in the best interests of the child.

10       (b) In determining whether to approve the relocation of the child  
11 under subsection (a) of this section, the court shall consider, but such  
12 consideration shall not be limited to: (1) Each parent's reasons for  
13 seeking or opposing the relocation; (2) the quality of the relationships  
14 between the child and each parent; (3) the impact of the relocation on  
15 the quantity and the quality of the child's future contact with the  
16 nonrelocating parent; (4) the degree to which the relocating parent's  
17 and the child's life may be enhanced economically, emotionally and  
18 educationally by the relocation; and (5) the feasibility of preserving the  
19 relationship between the nonrelocating parent and the child through

20 suitable visitation arrangements.

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| This act shall take effect as follows and shall amend the following sections: |
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| Section 1 | <i>October 1, 2006</i> | New section |
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***JUD***      *Joint Favorable Subst.*